

USSN 10/680,966

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Response dated December 9, 2004

Reply to Office communication of September 28, 2004

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested and a request for an interference with Publication U.S. Patent Application 2003/0109752.

The present application has been rejected under both 35 U.S.C. §§102 and 103. The rejection is based upon U.S. Publication 2003/0109752. It is respectfully submitted that the applicants herewith are the first and true inventors of the subject matter of claims 1-5 of the application. In addition, applicant has copied claims that were submitted in the Hoom application in the amendment submitted June 14, 2004 namely claims 1 and 7 that were amended in the amendment of June 14, 2004.

The applicants herewith are patentees of a Czech Republic Patent 290 708 (Exhibit A) and its English translation (Exhibit B). That patent application was filed in the Czech Republic on June 8, 2001. The application was published in the Czech Republic on January 16, 2002. The patent has issued from the Czech Republic on July 23, 2002.

It should be noted that applicant herewith has waived all right to patent in the United States but merely seeks a Statutory Invention Registration. The Czech Republic is a member of World Trade Organization and correspondingly applicants rely upon the activities in the Czech Republic for supporting their claimed invention. It should be noted that the application in the Czech Republic was submitted prior to the filing date of July 31, 2002 in the United States for the Hoom et al. patent application and prior to the provisional application no. 60/330,817, filed October 31, 2001.

In light of the above, it is respectfully submitted that an interference should be